## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

## Alexandria Division

UNITED STATES OF AMERICA	)
	) Case No. 1:20-CR-143
v.	)
	) Honorable T.S. Ellis, III
ZACKARY ELLIS SANDERS,	)
	)
Defendant.	)
	)

## GOVERNMENT'S MOTION TO SEAL REPLY TO DEFENDANT'S RESPONSE TO MOTION FOR ORDER TO SHOW CAUSE AND TO SEAL

The United States of America, by and through its undersigned counsel and pursuant to Local Criminal Rule 49(C) and 49(E), moves to file under seal an un-redacted copy of the government's reply to the defendant's response to the government's motion for an order to show cause and to seal. A redacted copy of the reply has been filed on the public docket. Dkt. No. 190. The un-redacted copy will be delivered to the clerk's office with a copy of this motion and provided to defense counsel. A proposed Order is attached for the consideration of the Court.

Through the Protective Order [Dkt. No. 28], the parties have agreed that certain information related to this investigation and prosecution should be filed under seal. The government's reply to the defendant's response to the government's motion for an order to show cause and to seal contains sensitive law enforcement information and details that, if revealed, could jeopardize this and other law enforcement investigations. Sealing the reply is therefore necessary in order to safeguard this information and protect these investigations. The government has considered alternatives less drastic than sealing and has found that none will suffice.

The Court has supervisory power over its own records and may, in its discretion, seal

documents if the public's right of access is outweighed by competing interests. *In re Knight Pub*. *Co.*, 743 F.2d 231, 235 (4th Cir. 1984). Such sealing is within the discretion of this Court and may be granted for "any legitimate prosecutorial need." *United States v. Ramey*, 791 F.2d 317, 321 (4th Cir. 1986); *see also, Baltimore Sun Co. v. Goetz*, 886 F.2d 60, 65 (4th Cir. 1989).

Accordingly, the United States requests that the government's reply to the defendant's response to the government's motion for an order to show cause and to seal be filed and remain under seal until further order of the Court.

Respectfully submitted,

G. Zachary Terwilliger United States Attorney

By: /s/

William G. Clayman Special Assistant United States Attorney (LT) U.S. Attorney's Office 2100 Jamieson Avenue Alexandria, Virginia 22314

Tel: 703-299-3700 Fax: 703-299-3981

Email: william.g.clayman@usdoj.gov

## **CERTIFICATE OF SERVICE**

I hereby certify that on January 6, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which automatically generated a Notice of Electronic Filing to the parties of record.

By:

/s/ William G. Clayman Special Assistant United States Attorney (LT) U.S. Attorney's Office 2100 Jamieson Avenue Alexandria, Virginia 22314

Tel: 703-299-3700 Fax: 703-299-3981

Email: william.g.clayman@usdoj.gov